

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

JENNIFER RENEE QUIJADA
1935 Hamilton Avenue
El Centro, CA 92243
Registered Nursing License No. 587245

Respondent.

Case No. 2007-273

OAH No.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, as its Decision in this matter.

This Decision shall become effective on July 31, 2008.

It is so ORDERED July 31, 2008.

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FOR THE BOARD OF REGISTERED NURSING

1 EDMUND G. BROWN JR., Attorney General
of the State of California

2 JAMES M. LEDAKIS

Supervising Deputy Attorney General

3 CARL W. SONNE, State Bar No. 116253

Deputy Attorney General

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6 San Diego, CA 92186-5266

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8 Attorneys for Complainant

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2007-273

13 JENNIFER RENEE QUIJADA

OAH No.

1935 Hamilton Avenue

14 El Centro, CA 92243

Registered Nursing License No. 587245

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Respondent.

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H, R.N. (Complainant) is the Executive Officer of
22 the Board of Registered Nursing. She brought this action solely in her official capacity and is
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
24 by Carl W. Sonne, Deputy Attorney General.

25 2. JENNIFER RENEE QUIJADA (Respondent) is represented in this
26 proceeding by attorney Adam B. Brown, whose address is 3848 Carson Street, Suite 206
27 Torrance, California 90503.

28 3. On or about September 12, 2001, the Board of Registered Nursing

1 ("Board") issued Registered Nursing License No. 587245 to JENNIFER RENEE QUIJADA
2 (Respondent). The license will expire on November 30, 2008, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2007-273 was filed before the Board, and is currently
5 pending against Respondent. The Accusation and all other statutorily required documents were
6 properly served on Respondent on April 25, 2007. Respondent timely filed her Notice of
7 Defense contesting the Accusation. A copy of Accusation No. 2007-273 is attached as exhibit A
8 and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and
11 understands the charges and allegations in Accusation No. 2007-273. Respondent also has
12 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
13 Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
16 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;
17 the right to present evidence and to testify on her own behalf; the right to the issuance of
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to
19 reconsideration and court review of an adverse decision; and all other rights accorded by the
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in
25 Accusation No. 2007-273, agrees that cause exists for discipline and hereby surrenders her
26 Registered Nursing License No. 587245 for the Board's formal acceptance. Respondent further
27 admits that she has reviewed the complaint made to the Board by E.K., Chief Nursing Officer /
28 Assistant Administrator of El Centro Regional Medical Center, 1415 Ross Avenue, El Centro,

1 California on or about August 3, 2007 ("New Complaint"). Respondent understands and agrees
2 that the allegations in the New Complaint, if charged in a new or amended accusation, and
3 proven at a hearing, would constitute additional cause for imposing discipline upon
4 Respondent's license.

5 9. Respondent understands that by signing this stipulation she enables the
6 Board's order accepting the surrender of her Registered Nursing License without further process.

7 RESERVATION

8 10. The admissions made by Respondent herein are only for the purposes of
9 this proceeding, or any other proceedings in which the Board or other professional licensing
10 agency is involved, and shall not be admissible in any other criminal or civil proceeding.

11 CONTINGENCY

12 11. The parties understand and agree that facsimile copies of this Stipulated
13 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
14 and effect as the originals.

15 12. In consideration of the foregoing admissions and stipulations, the parties
16 agree that the Board may, without further notice or formal proceeding, issue and enter the
17 following Order:

18 ORDER

19 IT IS HEREBY ORDERED that Registered Nursing License No. 587245, issued
20 to Respondent JENNIFER RENEE QUIJADA is surrendered and accepted by the Board.

21 13. The surrender of Respondent's Registered Nursing License and the
22 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
23 against Respondent. This stipulation constitutes a record of the discipline and shall become a
24 part of Respondent's license history with the Board.

25 14. Respondent shall lose all rights and privileges as a Registered Nurse in
26 California as of the effective date of the Board's Decision and Order.

27 15. Respondent shall cause to be delivered to the Board both her wall and
28 pocket license certificate on or before the effective date of the Decision and Order.

16. Respondent fully understands and agrees that if she ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2007-273 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

17. Upon reinstatement of the license, Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of Two Thousand Dollars and No Cents (\$2,000.00). Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

18. Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 2007-273 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

19. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board's Decision and Order.

20. Respondent shall pay the Board its costs of investigation and enforcement in the amount of \$2,000.00 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Adam B. Brown. I understand the stipulation and the effect it will have on my Registered Nursing License. I enter into this Stipulated Surrender of

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1 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
2 Decision and Order of the Board.

3 DATED: 5-1-08

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JENNIFER RENEE QUIJADA (Respondent)

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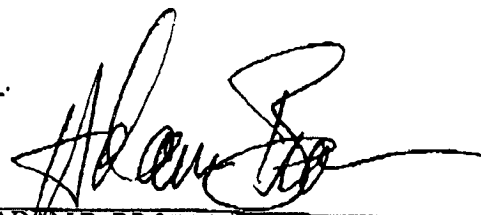
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I have read and fully discussed with Respondent JENNIFER RENEE QUIJADA
the terms and conditions and other matters contained in this Stipulated Surrender of License and
Order. I approve its form and content.

DATED: 5-2-08


ADAM B. BROWN
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully
submitted for consideration by the Board of Registered Nursing.

DATED: 5-2-08

EDMUND G. BROWN JR., Attorney General
of the State of California

JAMES M. LEDAKIS
Supervising Deputy Attorney General


CARL W. SONNE
Deputy Attorney General

Attorneys for Complainant

Exhibit A
Accusation No. 2007-273

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARGARET A. LAFKO
Supervising Deputy Attorney General
3 SUSAN FITZGERALD, State Bar No. 112278
Deputy Attorney General
4 California Department of Justice
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8
9 Attorneys for Complainant

10 **BEFORE THE**
11 **BOARD OF REGISTERED NURSING**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 2007 - 273

15 JENNIFER RENEE QUIJADA
1935 Hamilton Avenue
El Centro, CA 92243

A C C U S A T I O N

16 Registered Nurse License No. 587245

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about September 12, 2001, the Board of Registered Nursing issued
25 Registered Nurse License Number 587245 to Jennifer Renee Quijada (Respondent). The
26 Registered Nurse license will expire on November 30, 2008, unless renewed.

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1 JURISDICTION

2 3. This Accusation is brought before the Board of Registered Nursing (Board),
3 Department of Consumer Affairs, under the authority of the following sections of the Business
4 and Professions Code:

5 A. Section 2750 of the Business and Professions Code ("Code") provides, in
6 pertinent part, that the Board may discipline any licensee, including a licensee holding a
7 temporary or an inactive license, for any reason provided in Article 3 (commencing with section
8 2750) of the Nursing Practice Act.

9 B. Section 2761 of the Code provides in pertinent part that the Board may take
10 disciplinary action against a certified or licensed nurse for unprofessional conduct.

11 C Section 2762 of the Code states in pertinent part:

12 "In addition to other acts constituting unprofessional conduct within the meaning of this
13 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
14 chapter to do any of the following:

15 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a
16 licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish
17 or administer to another, any controlled substance as defined in Division 10 (commencing with
18 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
19 defined in Section 4022.

20 "...."

21 D. Section 2770.11 states:

22 "(a) Each registered nurse who requests participation in a diversion program shall agree
23 to cooperate with the rehabilitation program designed by a committee. Any failure to comply
24 with the provisions of a rehabilitation program may result in termination of the registered nurse's
25 participation in a program. The name and license number of a registered nurse who is terminated
26 for any reason, other than successful completion, shall be reported to the board's enforcement
27 program.

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“(b) If a committee determines that a registered nurse, who is denied admission into the program or terminated from the program, presents a threat to the public or his or her own health and safety, the committee shall report the name and license number, along with a copy of all diversion records for that registered nurse, to the board's enforcement program. The board may use any of the records it receives under this subdivision in any disciplinary proceeding.”

E. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

F. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

DRUGS

4. Demerol, a brand name for meperidine hydrochloride, is a Schedule II controlled substance under Health & Safety Code section 11055 and a dangerous drug under Business & Professions Code section 4022;
5. Oxymorphone hydrochloride is a semi-synthetic substitute for morphine and a Schedule II controlled substance under Health & Safety Code section 11055 and a dangerous drug under Business & Professions Code section 4022;
6. Oxycodone hydrochloride is an opioid analgesic and a Schedule II controlled substance under Health & Safety Code section 11055 and a dangerous drug under Business & Professions Code section 4022;
7. Oxazepam, Temazepam, and Nordiazepam are all benzodiazepines and Schedule IV controlled substances under Health & Safety Code section 11057 and dangerous drugs under Business & Professions Code section 4022.

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- 1 8. Ambien, a brand name for zolpidem tartrate, is a non-benzodiazepine hypnotic, a
2 Schedule IV controlled substances under Health & Safety Code section 11057 and
3 a dangerous drug under Business & Professions Code section 4022.

4 **CHARGES AND ALLEGATIONS**

5 **CAUSE FOR DISCIPLINE**

6 **(Unprofessional Conduct: Illegal Obtaining, Possession, and Use of Controlled Substances)**

7 9 Respondent is subject to disciplinary action for unprofessional conduct under
8 section 2761(a) in conjunction with section 2762(a) as more particularly alleged below:

9 A. In September 2006, Respondent worked as a registered nurse at El Centro
10 Regional Medical Center (ECRMC) in El Centro, California.

11 B. In September 2006, ECRMC discovered some Demerol to be unaccounted for.
12 After investigation revealed inconsistencies in Respondent's documentation of narcotics and
13 ECRMC staff interviewed Respondent, Respondent admitted she had a drug problem and had
14 obtained hospital narcotics for her personal use.

15 C. Later information obtained from Respondent was that she diverted 50 to 100 mg
16 of Demerol per day and 5 to 10 mg of Ambien per day.

17 D. On December 8, 15, 19, 20, and 26, 2006, Respondent tested positive for
18 benzodiazepines. On the drug test on December 26, 2006, Respondent also tested positive for
19 oxycodone/oxymorphone.

20 **FACTORS IN AGGRAVATION**

21 10. Respondent self-referred to the Board's Diversion program in September of 2006.

22 11. On or about January 3, 2007, the Board's Enforcement Unit was notified by the
23 Board's Diversion Program, pursuant to Code section 2070.11(b), that Respondent was
24 terminated unsuccessfully from the Diversion Program and as a public risk.


25 **PRAYER**

26 WHEREFORE, Complainant requests that a hearing be held on the matters herein
27 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

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- 1 1. Revoking or suspending Registered Nurse License Number 587245, issued to
2 Jennifer Renee Quijada;
3 2. Ordering Jennifer Renee Quijada to pay the Board of Registered Nursing the
4 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
5 Professions Code section 125.3;
6 3. Taking such other and further action as deemed necessary and proper.

7 DATED: 4/18/07
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10 
11 RUTH ANN TERRY, M.P.H., R.N.
12 Executive Officer
13 Board of Registered Nursing
14 Department of Consumer Affairs
15 State of California
16 Complainant

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